

**FILED
UNDER
SEAL**

United States District Court
for
the District of Nevada

PETITION FOR WARRANT
FOR OFFENDER UNDER SUPERVISION

Name of Offender: Demetrius Tray'Von Ware

Case Number: 2:20CR00029

Name of Sentencing Judicial Officer: Honorable Richard F. Boulware

Date of Original Sentence: January 14, 2021

Original Offense: Prohibited Person in Possession of a Firearm and Possession of a Firearm
in a School Zone

Original Sentence: 170 Days prison, followed by 36 Months TSR.

Date of Prior Revocation: April 28, 2022

Revocation Sentence: 14 Days custody, followed by 18 Months TSR.

Date Supervision Commenced: May 6, 2022

Name of Assigned Judicial Officer: Honorable Richard F. Boulware

PETITIONING THE COURT

To issue a warrant.

The probation officer believes the offender has violated the following condition(s) of supervision:

1. **Do Not Unlawfully Use Controlled Substance** - You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court, not to exceed 104 tests annually.

- A. Ware failed to report for drug testing on September 14, 2022.

RE: Demetrius Tray'Von Ware

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- B. Ware tested positive for marijuana and methamphetamine on September 19, 2022. On September 20, 2022, Ware admitted to Supervisory United States Probation Officer Todd Fredlund that he had used both marijuana and methamphetamine on September 18, 2022 and signed an Admission Report.
 - C. Ware tested positive for methamphetamine on October 20, 2022. On October 27, 2022, Ware admitted to the undersigned officer that he had used methamphetamine on or about October 19, 2022.
 - D. Ware tested positive for methamphetamine on November 3, 2022.
2. **Substance Abuse Treatment** – You must participate in an outpatient substance abuse treatment program and follow the rules and regulations of that program. The probation officer will supervise your participation in the program (provider, location, modality, duration, intensity, etc.).

Ware failed to report for substance abuse treatment on the following dates:

August 30, 2022
September 20, 2022
October 4, 2022
November 29, 2022

3. **Home Confinement with Location Monitoring** – You will be monitored by the form of location monitoring technology indicated below for a period of 90 days, and you must follow the rules and regulations of the location monitoring program.

GPS Monitoring (including hybrid GPS).

You are restricted to your residence every day from 8:00 AM to 8:00 PM, or as directed by the probation officer, absent an emergency with your children.

- A. On September 6, 2022, Ware left his residence at approximately 7:41 a.m. (20 minutes early) and returned at 8:12 p.m. (12 minutes late), in violation of his curfew schedule.
- B. On September 17, 2022, Ware, with court approval, was permitted to work at the Life is Beautiful Festival, which required him to be out of his residence beyond his curfew hours. Ware left work at approximately 3:30 a.m. and did not go directly home. Ware

RE: Demetrius Tray'Von Ware

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Rev. March 2017

did not arrive home until after an hour of getting off work. GPS points show Ware driving up and down the Strip before finally heading home.

- C. On September 29, 2022, Ware was 32 minutes late (8:32 p.m.) arriving home, in violation of his curfew schedule.
 - D. On October 26, 2022, Ware left his approved residence after curfew and returned around 10:08 p.m. (2 hours and 8 minutes late), in violation of his curfew schedule. Ware admitted to the undersigned officer that he left the residence without approval and acknowledged that he was aware this was a violation of his curfew schedule.
- 4. Do Not Commit Another Crime - You must not commit another federal, state or local crime.**

On November 7, 2022, Ware committed the offenses of Assault, a misdemeanor, in violation of Nevada Revised Statute 200.471.2a, and Provoke Breach of Peace, a misdemeanor, in violation of Nevada Revised Statute 203.030 through Citation # 1-05842290.

On Tuesday, November 8th, 2022 at approximately 0730 hours, while on duty at Palo Verde High School, located at 333 S. Pavilion Center Dr., Las Vegas, NV. 89144, Officer K. Roberts was notified by Principal L. Schumacher of a disturbance on campus and possible adult to student “Assault” which had taken place the day before.

On Monday, November 7th, 2022 at approximately 1437 hours, on the Palo Verde High School Campus, Student Success Office Secretary Traci Perriman had escorted student Ayanna White from the SSO down to the flagpole area at the front of the school. Upon arrival to Ayanna’s Mother (Fatima Hooper) and vehicle, Ayanna failed to enter the vehicle and leave property as instructed by Perriman. According to Perriman, Ayanna was looking in the direction of a group of students where student Aniyah Welch was seated. Ayanna and Aniyah were involved in a verbal confrontation earlier in the day. Perriman states Ayanna asked her mother if she could “fight” the other girl. Ayanna’s mother said no.

At that time an adult male later identified as Demetrius Ware got out of the vehicle. Instead of assisting Perriman put Ayanna in the car and leaving campus, he walked toward the group of girls. Ware is the “Stepfather” to Ayanna. Ware approached the group, reportedly with his hands in the front of his pants, and stated in a reportedly forceful tone, “Which one of ya’ll is it? Which one of ya’ll wants to fight my baby?”

RE: Demetrius Tray'Von Ware

Prob12C
D/NV Form
Rev. March 2017

Aniyah was already on the phone with her mother when she saw Ware start walking toward her/the group. Aniyah raised her hand in response to Ware's question.

Ware approached Aniyah. Several witnesses report Ware was approximately 3-6 inches away from Aniyah and was talking in a manner they perceived as threatening and/or caused them to be fearful for Aniyah's safety. Aniyah's mother reports she could hear a man yelling at her daughter over the phone and was greatly concerned for her daughter's safety.

About that time, Principal L. Schumacher, Assistant Principal M. Sarver, and Assistant Principal K. Barra arrived at the front of the school. For the protection of Aniyah, Schumacher inserted herself between Ware and Aniyah. Meanwhile, Ayanna had walked away from her vehicle Perriman had escorted her to and over to Ware, located near Aniyah, the other girls and school staff. Ayanna was yelling and screaming about fighting Aniyah. Aniyah began to yell back at Ayanna. Ayanna and Ware's actions greatly escalated the situation into a hazardous scene.

While Ayanna was yelling and charging around administration, Ware stood and watched. Ware made no attempt to control his stepdaughter. Ayanna was throwing punches wildly and struck Principal Schumacher in the back. Admin separated Aniyah and Ayanna. Ware walked back to his vehicle. Ayanna was escorted back to her vehicle. Ware, Ayanna, and Ayanna's mother (Fatima Hooper) eventually left school property in that vehicle.

Based on the fact Ware intentionally approached a female juvenile on a school campus in a manner that caused her to fear for her immediate safety, failed to responsibly take his daughter off school property, escalated an already volatile situation at the front of the school where many students were frightened, which required six administrators and a school secretary to respond, resulting in two administrators being struck, Ware was issued a citation and charged with Assault, in violation of NRS 200.471.2a and Provoke Breach of Peace, in violation of NRS 203.030. Citation # 1-05842290 was sent to Las Vegas Justice Court.

5. Must Answer Truthfully - You must answer truthfully the questions asked by your probation officer.

On November 14, 2022, Ware telephonically contacted the undersigned officer to inform that he had law enforcement contact the week prior at Palo Verdes High School. Ware stated he would be contacting Clark County School District Police in the next upcoming days for questioning on a matter in which his daughter was being bullied at the school.

RE: Demetrius Tray'Von Ware

Prob12C
D/NV Form
Rev. March 2017

The undersigned officer questioned Ware if he was being investigated or questioned for committing any new law violations. Ware failed to inform that he was issued a citation regarding the matter.

6. Report Police Contact Within 72 Hours - If you are arrested or questioned by a law enforcement officer, you must notify the probation officer within 72 hours.

On November 14, 2022, Ware telephonically contacted the undersigned officer to inform that he had law enforcement contact the week prior at Palo Verdes High School. Ware failed to inform the undersigned officer within 72 hours of the law enforcement contact and failed to advise he was cited for criminal conduct.

RE: Demetrius Tray'Von Ware

Prob12C
D/NV Form
Rev. March 2017

U.S. Probation Officer Recommendation:

The term of supervision should be:

- Revoked

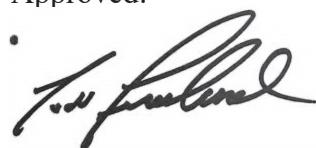
I declare under penalty of perjury that the information contained herein is true and correct,

Executed on December 8, 2022

Nickie Pipilakis 
Digitally signed by
Nickie Pipilakis
Date: 2022.12.08
16:50:40 -08'00'

Nickie Pipilakis
United States Probation Officer

Approved:


Digitally signed by
Todd Fredlund
Date: 2022.12.08
16:37:21 -08'00'

Todd J. Fredlund
Supervisory United States Probation Officer

THE COURT ORDERS

- No Action.
- The issuance of a warrant.
- The issuance of a summons.
- Other:



RICHARD F. BOULWARE, II
United States District Judge

January 11, 2023
Date

RE: Demetrius Tray'Von Ware

Prob12C
D/NV Form
Rev. March 2017

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA
UNITED STATES V. DEMETRIUS TRAY'VON WARE, 2:20CR00029

SUMMARY IN SUPPORT OF PETITION FOR WARRANT
December 8, 2022

By way of case history, on January 14, 2021, Ware was sentenced to Time Served followed by thirty-six (36) months supervised release for committing the offenses of Prohibited Person in Possession of a Firearm and Possession of a Firearm in a School Zone. Ware commenced his first term of supervised release on that same date.

On April 28, 2022, Your Honor found Ware guilty of violations and his supervision was revoked in which he was sentenced to 14 days custody, followed by 18 months of supervision. At the time of revocation, Your Honor ordered Ware to complete an inpatient substance abuse treatment program as well as 90 days of Home Confinement with GPS Location Monitoring in which he is restricted to his residence every day from 8:00 PM to 8:00 AM, or as directed by the probation officer, absent an emergency with his children.

On May 6, 2022, Ware began his second term of supervised release. On May 19, 2022, Ware entered inpatient residential substance abuse treatment and he successfully completed the program on August 4, 2022.

On August 9, 2022, Ware began 90 days of Home Confinement with GPS Location Monitoring in which he is restricted to his residence every day from 8:00 PM to 8:00 AM. On September 6, 2022, Ware left his residence at approximately 7:41 a.m. (20 minutes early) and returned at 8:12 p.m. (12 minutes late), in violation of his curfew schedule.

On September 12, 2022, Your Honor took judicial notice for the curfew violation and allowed a change without any restrictions for employment purposes towards the Location Monitoring schedule.

Ware failed to report for drug testing on September 14, 2022. Ware tested positive for marijuana and methamphetamine on September 19, 2022 at the United States Probation Office's contracted testing facility. The drug tester at TOMO advised that Ware begged and pleaded not to report the results to the probation office, stating "*Listen is there any way we can just say it was THC and that's it?*"

On September 20, 2022, Ware reported to the probation office as directed and admitted to Supervisory United States Probation Officer Todd Fredlund that he had used both marijuana and methamphetamine on September 18, 2022. Ware stated the drug use was a poor decision, lapse in judgment, and stated he is simply going through a lot, reporting two recent deaths in his family and unable to attend the funerals as they are out of state.

RE: Demetrius Tray'Von Ware

Prob12C
D/NV Form
Rev. March 2017

Following completion of residential treatment Ware was enrolled in aftercare, required to attend weekly groups. As detailed in this petition, Ware has failed to report for four group sessions. In addition, Ware has missed other dates due to conflict with employment.

On September 29, 2022, Ware returned to his residence at 8:32 p.m. (32 minutes late), in violation of his curfew schedule. At 7:53 p.m., Ware sent a text message to the undersigned officer stating that he was going to be 10 to 15 minutes late getting in for his 8:00 p.m. curfew because he was going to get his children food. The undersigned officer verbally admonished Ware for his lack of time management knowing that he is to be in the home every day at 8:00 p.m. per the Court order and he cannot just be late whenever he so chooses. It is noted on this date Ware had plenty of time to get food earlier but opted to wait until the last minute, causing him to return home late.

On October 3, 2022, a Report on Offender Under Supervision was submitted to Your Honor regarding the above noted violations for drug use and location monitoring. As the court is aware, Ware completed residential treatment and shortly thereafter resumed drug use. There are no other alternatives for higher level of care.

Ware tested positive for methamphetamine again on October 20, 2022. On October 27, 2022, Ware admitted to the undersigned officer that he had used methamphetamine on or about October 19, 2022.

On October 26, 2022, Ware left his approved residence after curfew and returned around 10:08 p.m., in violation of his curfew schedule. Ware admitted to the undersigned officer that he left the residence without approval and acknowledged that he was aware this was a violation of his curfew schedule.

Ware tested positive for methamphetamine on November 3, 2022 and denied using methamphetamine. Ware, however, did admit to alcohol use the day prior. Due to Ware denying use, the urine sample was sent to the national laboratory Abbott Toxicology for confirmation. On November 10, 2022, Abbott Toxicology confirmed the presence of methamphetamine in Ware's urine. Ware later admitted that he had used an ecstasy pill.

On November 7, 2022, Ware completed 90 days of location monitoring.

On November 10, 2022, a Petition for Summons was submitted to Your Honor alleging Ware violated his terms and conditions for supervision regarding positive drug tests, missing drug testing, missing substance abuse counseling and violating his curfew schedule on location monitoring. This petition is known as document # 119.

On December 2, 2022, the undersigned officer filed an Addendum to the Petition, known as ECF document #121.

On December 7, 2022, Your Honor requested the undersigned file a Petition for Warrant for Ware.

RE: Demetrius Tray'Von Ware

Prob12C
D/NV Form
Rev. March 2017

Due to the conduct contained in this petition, in conjunction with his history of violence and weapon offenses, Ware is considered a danger to the community. It is noted the instant offense involved Ware carrying a firearm on school grounds. It is alarming that Ware chose to confront a female teenager on school grounds and create a dangerous situation instead of being a responsible adult and leaving with his stepdaughter. Ware is a criminal history category IV and has a significant history of substance abuse. As noted in the petition, it is requested Ware appear before Your Honor to show cause why supervision should not be revoked.

Respectfully submitted,

**Nickie
Pipilakis**

Digitally signed by
Nickie Pipilakis
Date: 2022.12.08
16:53:58 -08'00'

Nickie Pipilakis
United States Probation Officer

Approved:



Digitally signed by Todd
Fredlund
Date: 2022.12.08 16:37:43
-08'00'

Todd J. Fredlund
Supervisory United States Probation Officer